

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BRUCE HARRIS and ROY
MCCULLUM, Individually and Behalf
of All Others Similarly Situated,
Plaintiffs,

v.

GEORGIA-PACIFIC WOOD
PRODUCTS LLC and GEORGIA-
PACIFIC CONSUMER OPERATIONS
LLC,
Defendants.

CIVIL ACTION
NO. 1:22-cv-02530-TWT

**JOINT NOTICE OF SETTLEMENT AND MOTION FOR TIME TO MOVE
FOR SETTLEMENT APPROVAL**

Plaintiffs Bruce Harris and Roy McCullum and Defendants Georgia-Pacific Wood Products LLC and Georgia-Pacific Consumer Operations LLC jointly notify the Court that the Parties have now reached an agreement to resolve all remaining claims at issue in this matter and respectfully request 60 days to move for Court approval of the settlement. In support of this Motion the Parties state the following:

1. Plaintiffs initiated this action on June 24, 2022, alleging that Defendants violated the Fair Labor Standards Act (FLSA) and Arkansas Minimum Wage Act (AMWA) by failing to pay Plaintiffs for all time worked and by failing to pay Plaintiffs overtime at the proper overtime rate. (ECF No. 1.)

2. Plaintiffs brought their FLSA claims as a putative collective action and their AMWA claims as a putative Rule 23 class action. (*Id.*)

3. On March 23, 2023, the Court denied Plaintiffs' motion for class certification of the AMWA claims and denied Plaintiffs' motion for conditional certification of the FLSA claims. (ECF No. 47.)

4. Discovery in this matter is set to close on Monday, October 2, 2023. (ECF No. 53.)

5. Since the Court's denial of class certification and conditional certification, the Parties have been engaged in discussions to determine whether they can resolve all remaining claims of the two original Plaintiffs and the three opt-in plaintiffs at issue and settle the case. As part of this process, Defendants have provided Plaintiffs with time and pay data for relevant period. As a result of these negotiations, the Parties have now reached an agreement to resolve all claims still at issue and settle the case.

6. Because the Parties' settlement compromises Plaintiffs' FLSA claims, the Parties intend to seek the Court's approval of their settlement.

7. The Parties are currently working on and negotiating the various settlement-related documents, including the terms and conditions of their settlement agreement. The Parties estimate that it will take up to 60 days to prepare

the settlement agreement and to prepare and submit the motion for settlement approval and supporting papers for the Court's consideration.

8. The Parties, therefore, respectfully request that the Court stay all pending deadlines in this matter and provide the Parties 60 days to complete and file the Motion for Settlement Approval and any related documents.

9. This Motion is brought for good cause, will not unduly delay the proceedings, and will not prejudice either Party. The requested stay of all pending deadlines is consistent with Rule 1, which states that the Federal Rules of Civil Procedure "should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding." Fed. R. Civ. P. 1.

10. Defendants' counsel contacted Plaintiffs' counsel regarding this joint notice and motion, and Plaintiffs join in this request. For the Court's convenience a proposed order is provided.

Respectfully submitted this 29th day of September 2023.

/s/ Josh Sanford

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CERTIFICATE OF SERVICE

I certify that on September 29, 2023, I electronically filed the **Joint Notice of Settlement and Motion for Time to Move for Settlement Approval** with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following attorneys of record:

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